

February 1, 2005

I am contacting you regarding the Consumer Bankers Association petition to impose the federal "established business relationship" exemption on consumers registered on the "no-call" list in the state of Indiana. Let me state my strong opposition to the efforts of the CBA to circumvent Indiana's no-call legislation. Since the advent of the no-call law in Indiana, I can't overstate the positive impact upon my home life between the hours of 5 and 9 pm that that law has had. Before the law, the phone rang constantly from salespeople pushing programs and products that I was not interested in. We rarely if ever had any interest in these products whatsoever but still we were forced to listen to one tired sales pitch after another from overzealous salespeople. These individuals, as a group, will not accept "no" for an answer and often one must resort to becoming rude and hanging up on them. That situation, to say the least, is stressful and unnecessary. I know what products and services that I want and I am fully capable of locating them. Recent correspondence from my attorney general suggests that if the CBA's efforts are successful, Indiana will be subject to an additional 800 million sales calls annually...an astounding figure. This will drastically impact my household in a negative way.

I can understand and appreciate that argument of a restricted ability to exercise free-speech by the CBA, and the architects of the Constitution included the First Amendment to protect that right. But my argument against that premise is this: a speech as defined in Webster's dictionary is a public act or lecture. Telephones are private, not public. The fact that I have an established business relationship with them should not allow them to unnecessarily contact me

And by the way, can you do something about all the junk mail too!

Thanks,

Scott A. Frank, Ph.D.